

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDWARD WILLIAMS,

Plaintiff,

Case No. 08-10044

vs.

David M. Lawson
United States District Judge

PATRICIA CARUSO, et al,

Defendant,

Michael Hluchaniuk
United States Magistrate Judge

**ORDER DENYING PLAINTIFF'S MOTIONS
FOR APPOINTMENT OF COUNSEL WITHOUT PREJUDICE**

This matter is before the Court on plaintiff's second and third Motions For Appointment Of Counsel. (Dkt. # 10, 14). Plaintiff, an inmate currently at the Macomb County Jail, brings this action under 42 U.S.C. § 1983, claiming violations of his rights under the United States Constitution. (Dkt. # 12).

Although it is not entirely clear, plaintiff appears to allege that, after defendants discovered that plaintiff was to be released on parole, they retaliated against him by transferring him to a mental hospital for "intense treatment." *Id.* Plaintiff alleges that treatment was forced on him against his will and that because defendants refused to discharge him from "intense care," his parole was suspended. *Id.*

On February 1, 2007, District Judge David M. Lawson denied plaintiff's motion for the appointment of counsel because plaintiff "offered no convincing reason as to why the Court should exercise its discretionary power at this time." (Dkt. # 7). On the same date, Judge Lawson referred this matter for all pretrial purposes to the undersigned (Dkt. # 8).

In support of his renewed requests for counsel, plaintiff states that the county jail is without "legal clergy"; that the county jail has no indigent mail or legal assistance; and, that the law library is empty. (Dkt. # 10, 14). Under 28 U.S.C. § 1915(e)(1), a federal court may request an attorney to represent an indigent plaintiff. *Reneer v. Sewell*, 975 F.2d 261 (6th Cir. 1992). Except in rare circumstances, it is the practice of this Court to consider the appointment of counsel in prisoner civil rights cases where exceptional circumstances exist, or in certain cases only after a motion to dismiss or for summary judgment has been decided. Plaintiff offers no basis, at this time, for the undersigned to revisit Judge Lawson's decision to deny the appointment of counsel.

IT IS HEREBY ORDERED that plaintiff's renewed motions for appointment of counsel are hereby **DENIED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

The parties are hereby informed that any objection to this order must be filed with the district court within ten days after being served with a copy thereof, pursuant to Rule 72(a), Federal Rules of Civil Procedure.

Date: April 8, 2008

s/Michael Hluchaniuk
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2008, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send electronic notification to the following: not applicable, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: Edward Williams, ID# 309084, Macomb County Jail, P.O. Box 2808, Mt. Clemens, MI 48043-23.

s/James P. Peltier
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